

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN CINDY YOUNKIN**, on February 12, 2003
at 3:13 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Cindy Younkin, Chairman (R)
Rep. Gail Gutsche, Vice Chairman (D)
Rep. Jim Peterson, Vice Chairman (R)
Rep. Debby Barrett (R)
Rep. Larry Cyr (D)
Rep. Sue Dickenson (D)
Rep. Ron Erickson (D)
Rep. George Everett (R)
Rep. Kim Gillan (D)
Rep. Christopher Harris (D)
Rep. Carol Lambert (R)
Rep. Michael Lange (R)
Rep. Rick Maedje (R)
Rep. Bruce Malcolm (R)
Rep. Brad Newman (D)
Rep. John (Jack) W. Ross (R)
Rep. Scott Sales (R)
Rep. Veronica Small-Eastman (D)

Members Excused: None.

Members Absent: None.

Staff Present: Kathleen Ely, Committee Secretary
Larry Mitchell, Legislative Branch

Video-taped Committee: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society. THE TIME STAMP REPRESENTS ELAPSED TIME.

Committee Business Summary:

Hearing & Date Posted: HB 437, 1/27/2003; HB 436,
1/27/2003
Executive Action: HB 427, DO PASS AS AMENDED, 14-4
HB 436, DO PASS AS AMENDED, 18-0
HB 433, DO PASS, 10-8

HEARING ON HB 437

Opening Statement by Sponsor:

02:00 REP. OLSON, HD 76 -- Short Title: Implementation of
constitutional provisions on the environment

EXHIBIT (nah31a01)

Proponents' Testimony:

05:00 SEN. MCCARTHY, SD 29
06:00 Leo Berry, Western Environmental Trade Association
16:00 Jerry Driscoll, Montana AFL-CIO

EXHIBIT (nah31a02)

17:00 REP. GALLUS, HD 35
19:00 Robert Hanson, Montana Farm Bureau
20:00 John Forkan, Montana Building Trades Association
21:00 Don Serba, Pulp and Paperworkers Council
23:00 Russ Ritter, Montanans for Responsible Energy
Development
24:00 Neal Marxer, Smurfit Stone Container Corporation
26:00 Gilda Clancy, Montanans for Responsible Energy
Development

EXHIBIT (nah31a03)

27:00 Robert Pavlovich, International Brotherhood of
Electrical Workers 233
27:00 Nicole Prokop, Holcim
28:00 Nicolai Cocergine, U.F.C.W. Local 4
28:00 Bob Gilbert, Montana Petroleum Marketers
29:00 Keith Allen, Vice President, Montana AFL-CIO,
International Brotherhood of Electrical Workers 233
29:00 Steve Pilcher, Montana Stockgrowers Association
31:00 Cary Hergreberg, Montana Contractors Association
31:00 Jerome Anderson, PPL Montana, Encore Acquisitions
Company
31:00 Tom Figarelli, Forward Montana

EXHIBIT (nah31a04)

32:00 Jim Mockler, Montana Coal Council
32:00 Fred Janicke, Pace Local 8-0491
33:00 Curt Chisholm, Montana Building Industry Association
33:00 Patrick Montalban, Northern Montana Oil and Gas
Association
33:00 Dexter Busby, Montana Refining Company
34:00 Ellen Porter, Louisiana Pacific

34:00 Margaret Morgan, Independent Electrical Contractors
34:00 Ellen Engstedt, Montana Wood Products Association
34:00 Peggy Trenk, Montana Association of Realtors
35:00 Webb Brown, Montana Chamber of Commerce
35:00 Cory Swanson, Plum Creek Timber Company

Opponents' Testimony:

35:00 Mike Barrett

EXHIBIT (nah31a05)

39:00 Mike Cok, Manhattan Rancher, Attorney

EXHIBIT (nah31a06)

43:00 Kim Wilson, Attorney

47:00 Ann Hedges, Montana Environmental Information Center

54:00 Richard Parks, Northern Plains Resource Center

EXHIBIT (nah31a07)

59:00 John Wilson, Montana Trout Unlimited

1:04:00 Steve Gilbert

1:06:00 Al Smith, MTLA

EXHIBIT (nah31a08)

1:08:00 Sherm Janke, Sierra Club

1:09:00 Janet Ellis, Montana Audubon Society

EXHIBIT (nah31a09)

Informational Testimony: None.

Questions from Committee Members and Responses:

1:10:00

Closing by Sponsor:

1:44:00

5:00 p.m. Break

5:07 p.m. Resume

HEARING ON HB 436

Opening Statement by Sponsor:

1:54:00 **REP. OLSON, HD 76 -- Short Title:** Exempt certain leases
subject to permitting from MEPA review

Proponents' Testimony:

1:56:00 Jim Mockler, Montana Coal Council

2:01:00 Gail Abercrombie, Executive Director, Montana

2:01:00 Cary Hegreberg, Montana Contractors Association

Opponents' Testimony:

2:02:00 Janet Ellis, Montana Audubon Society

2:04:00 Jeff Barber, Montana Environmental Information Center

2:07:00 Sherm Janke, Sierra Club

Informational Testimony:

2:08:00 Monte Mason, Department of Natural Resources

Questions from Committee Members and Responses:

2:09:00

Closing by Sponsor:

2:15:00

EXECUTIVE ACTION ON HB 427

Motion: REP. GUTSCHE moved that HB 427 DO PASS.

Motion: REP. GUTSCHE moved that HB 427 BE AMENDED.

Vote: Motion carried unanimously by voice vote.

Discussion:

2:19:00

Motion: REP. GUTSCHE moved that HB 427 BE AMENDED.

Vote: Motion carried unanimously by voice vote.

Motion/Vote: REP. GUTSCHE moved that HB 427 DO PASS AS AMENDED.

Motion carried 14-4 with REPS. BARRETT, EVERETT, LANGE, MAEDJE voting no by voice vote.

EXECUTIVE ACTION ON HB 436

Motion: REP. ERICKSON moved that HB 436 DO PASS.

Motion/Vote: REP. ERICKSON moved that HB 436 BE AMENDED. Motion carried unanimously by voice vote.

Motion/Vote: REP. ERICKSON moved that HB 436 DO PASS AS AMENDED.

Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 433

Motion: REP. LAMBERT moved that HB 433 DO PASS.

Discussion:

2:28:00

Vote: Motion carried 10-8 with REPS. BARRETT, EVERETT, LAMBERT, LANGE, MAEDJE, MALCOLM, PETERSON, and ROSS voting no by roll call vote.

ADJOURNMENT

Adjournment: 7:04 P.M.

REP. CINDY YOUNKIN, Chairman

KATHLEEN ELY, Secretary

CY/KE

EXHIBIT (nah31aad)